

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FRANCIS J. HARVEY, JR. and
JEAN P. WILHELM,

X

Civil Action No.
07-Civ-6763 (LAP)

Plaintiffs,

-against-

320 OWNERS CORP. and CHARLES LOWERY,
In his capacity as President of 320 Owners Corp.,

Defendants.

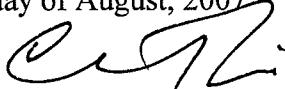
X

I, Traci Fields, being duly sworn, deposes and says:

1. That I am not a party to the within action, am over 18 years of age and am employed by KAGAN LUBIC LEPPER LEWIS GOLD AND COLBERT, LLP, 200 Madison Avenue, New York, NY 10016, Attorneys for Plaintiff.
2. That on August 29, 2007, I served the within **NOTICE OF CROSS-MOTION FOR DISMISSAL and AFFIDAVIT IN SUPPORT OF DEFENDANTS' CROSS-MOTION TO DISMISS AND IN OPPOSITION TO PLAINTIFFS' MOTION FOR INJUNCTIVE RELIEF** by overnight courier, Federal Express, by supplying a true copy thereof enclosed in a sealed, properly addressed envelope in an official depository under the exclusive care and custody of Federal Express, in the Borough of Manhattan, City and State of New York, addressed to:

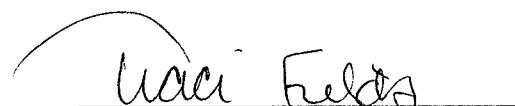
Stephen a. Somerstein, Esq.
292 Garfield Place
Brooklyn, New York 11215

Sworn to me on the
29th day of August, 2007



Notary Public

CHRISTOPHER R. TRAVIS
Notary Public, State of New York
No. 02TR6168037
Qualified In RICHMOND County
Commission Expires JUNE 4, 2011



Traci Fields

From: Origin ID: JRAA (212)252-0300
Denise M. Campbell
Kagan Lubic Lepper Lewis Gold
200 Madison Avenue
24th Floor
New York, NY 10016



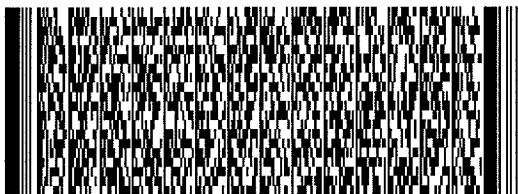
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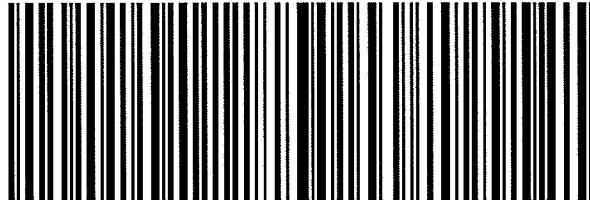
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Delivered to:	Residence
Service type:	FedEx Priority Overnight
Packaging type:	FedEx Pak
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Weight:	2.00 lb.

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